UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/755,623	LECOEUCHE, RENAUD J.
	Examiner	Art Unit	
	MICHAEL C. COLUCCI	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-18* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-18* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *10 January 2004* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some *   c) ☒ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1.   The specification is objected to as failing to provide proper antecedent basis for

the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction

of the following is required:

Claim 7 discloses "RL10" with no description within the disclosure.

Claim 14 discloses "RL11" with no description within the disclosure.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. The term "RL10", when read in light of the specification doe

not allow one of ordinary skill in the art to determine the scope of the claim in view of

such as term, and is therefore rendered indefinite. For the purposes of prior art, the

term "RL10", when read in light of the specification is construed to be functionally

equivalent and equally effective to a previous response.

Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. The term "RL11", when read in light of the specification doe

not allow one of ordinary skill in the art to determine the scope of the claim in view of

such as term, and is therefore rendered indefinite. For the purposes of prior art, the

term "RL11", when read in light of the specification is construed to be functionally

equivalent and equally effective to a previous response.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-6 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Alpdemir US 20020035474 A1 (hereinafter Alpdemir) in view of Albayrak et al. US

6662163 B1 (hereinafter Albayrak).

        Re claims 1 and 11, Alpdemir teaches a computer readable medium having

instructions, which when executed on a computer generate client side markup ([0140])

for a client in a client/server system, the instructions comprising:

        a set of controls for defining a dialog, the controls comprising at least a control for

generating markup related to audible prompting of a question ([0226]) and for

generating markup related to a grammar for recognition ([0169]), wherein the set of

controls includes means for generating markup that is adapted to prioritize prompting of

a question ([0337-0339]) and for generating markup related to a grammar for

recognition as a function of responses from a user ([0143-0144]);

a module, when executed on the client, creates a dialog as a function of the

controls, wherein the dialog follows a selected order of prompting and receiving input

from a user as related to the order of the controls ([0217]), and departs from the

selected order as a function of responses from the user ([0143-0144]).

However, Alpdemir fails to teach a client side markup for a client in a client/server

system

Albayrak teaches an interactive voice response system includes a server and a

set of mobile clients. The server and clients include RF transceivers for exchanging

messages over an RF channel. Each mobile client includes a microphone, a speaker or

headset, a processor and a voice browser. The voice browser interprets voice pages

received from the server. Upon receiving a particular voice page from the server, the

voice browser outputs via the speaker voice prompts specified by the voice page. A

speech recognition engine used by the voice browser converts voice responses from a

user into a text response. The voice browser then performs an action based on the text

response. The action taken may be to request a new voice page from the server, or to

continue to interpret the current voice page. The server preferably includes an HTTP

server module for receiving and responding to requests for voice pages from the mobile

clients in accordance with a predefined protocol. The mobile clients each include a text-

to-speech module for converting text in a voice page into voice prompts, and a digitized

speech module for playing digitized voice data representing other voice prompts. The

mobile clients also include a speech recognition module for recognizing words or data

string within a user's voice responses in accordance with a user specific voice file

received from the server (Albayrak Col. 3 lines 3-27).

Further, Albayrak teaches that Hypertext refers to a collection of computer-

readable text documents containing links, that is, location references. A browser utilizes

the links to facilitate moving its attention between linked documents. A voice browser is

similar to a graphical browser in that it is a program that processes hypertext and

presents the hypertext content in a specified format. The voice browser used in the

preferred embodiment of this invention receives and outputs all information in the form

of sound rather than having graphical input and output. The particular type of hypertext

used in the preferred embodiment is based on VoiceXML. VoiceXML was designed by

the VoiceXML Forum to create audio dialogs that feature digitized audio and speech

recognition and to facilitate web-based development and content delivery. (Albayrak

Col. 4 lines 11-39).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the system of Alpdemir to incorporate a client side

markup for a client in a client/server system as taught by Albayrak to allow for a server-

client voice browsing system, wherein markup language is utilized to convert text to

speech, particularly for a mobile client that can prompt a user wirelessly (Albayrak Col.

3 lines 3-27).

Re claims 2 and 13, Alpdemir teaches the computer readable medium of claim 1 wherein the module creates a dialog ([0220]) as a function of activated controls ([0143-0144]).

Re claim 3, Alpdemir teaches the computer readable medium of claim 2 wherein controls are activated as a function of responses from the user ([0143-0144]).

Re claims 4 and 12, Alpdemir teaches the computer readable medium of claim 3 wherein the set of controls includes an attribute to indicate the selected order that each of the controls will be activated ([0337-0339]).

Re claim 5, Alpdemir teaches the computer readable medium of claim 1 wherein one of the controls provides means for defining a confirmation for generating markup related to confirming that a recognized result is correct ([0191]).

Re claim 6, Alpdemir teaches the computer readable medium of claim 1 and further comprising a second set of controls for generating markup related to visual rendering on a client, wherein at least one of the first-mentioned set of controls is associated with at least one of the controls of the second set of controls ([0362-0363] & Fig. 11-12).

5.   Claims 7-10 and 14-18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Alpdemir US 20020035474 A1 (hereinafter Alpdemir) in view of

Albayrak et al. US 6662163 B1 (hereinafter Albayrak) and further in view of

Takebayashi et al. US 5357596 A (hereinafter Takebayashi).

Re claims 7 and 14, Alpdemir teaches the computer readable medium of claim 1

wherein the module maintains information related to an order of responses received

from the user, and wherein the module departs from the selected order ([0337-0339]) to

provide a prompt related to a previous [RLI0] response from the user in the information

([0143-0144]).

However, Alpdemir in view of Albayrak fails to teach providing a prompt related to

a previous [RLI0] response from the user.

Takebayashi teaches an order table shown in FIG. 7 indicates the content of the

order made by the input speech as understood by the system at each moment during

the order taking operation, in a form of an order list similar to the ORDER TABLE frame

of the semantic response representation, and this order table is to be updated according

to the ACT frame and the ORDER TABLE frame of the semantic utterance

representation supplied from the speech understanding unit 11. On the other hand, the

past order table shown in FIG. 8 indicates the order table at a time of an output of the

previous system response, i.e., the content of the order taken up to an output of the

previous system response. This past order table of FIG. 8 is utilized as the dialogue

history indicative of the change of the order table in the course of the order taking

operation (Takebayashi Col. 11 lines 33-51 & Fig. 7-8).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the system of Alpdemir in view of Albayrak to incorporate

providing a prompt related to a previous response from the user as taught by

Takebayashi to allow for the logging of data history, wherein the order and previous

responses are stored for the dialog manager, wherein changes in user responses can

be monitored for an improved recognition scheme (Takebayashi Col. 11 lines 33-51 &

Fig. 7-8).

Re claim 8, Alpdemir teaches the computer readable medium of claim 7 wherein

the set of controls includes an attribute to indicate whether a response to a prompt will

be maintained in the information related to the order of responses received from the

user ([0337-0339]).

Re claims 9 and 16, Alpdemir teaches the computer readable medium of claim 8

wherein module maintains the information related to an order of responses ([0337-

0339]) received from the user as a stack.

However, Alpdemir in view of Albayrak fails to teach an order of responses

received from the user as a stack

Takebayashi teaches an order table shown in FIG. 7 indicates the content of the

order made by the input speech as understood by the system at each moment during

the order taking operation, in a form of an order list similar to the ORDER TABLE frame

of the semantic response representation, and this order table is to be updated according

to the ACT frame and the ORDER TABLE frame of the semantic utterance

representation supplied from the speech understanding unit 11. On the other hand, the

past order table shown in FIG. 8 indicates the order table at a time of an output of the

previous system response, i.e., the content of the order taken up to an output of the

previous system response. This past order table of FIG. 8 is utilized as the dialogue

history indicative of the change of the order table in the course of the order taking

operation (Takebayashi Col. 11 lines 33-51 & Fig. 7-8).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the system of Alpdemir in view of Albayrak to incorporate

an order of responses received from the user as a stack as taught by Takebayashi to

allow for the logging of data history, wherein the order and previous responses are

stored for the dialog manager, wherein changes in user responses can be monitored for

an improved recognition scheme (Takebayashi Col. 11 lines 33-51 & Fig. 7-8, wherein

ordered data in memory is construed to be functionally equivalent to a stack).

Re claims 10 and 17, Alpdemir in view of Albayrak fails to teach the computer

readable medium of claim 9 wherein the stack is of selected length such that the oldest

information related to the oldest received response is removed when information is

received related to the latest response from the user.

Takebayashi teaches an order table shown in FIG. 7 indicates the content of the

order made by the input speech as understood by the system at each moment during

the order taking operation, in a form of an order list similar to the ORDER TABLE frame

of the semantic response representation, and this order table is to be updated according to the ACT frame and the ORDER TABLE frame of the semantic utterance representation supplied from the speech understanding unit 11. On the other hand, the past order table shown in FIG. 8 indicates the order table at a time of an output of the previous system response, i.e., the content of the order taken up to an output of the previous system response. This past order table of FIG. 8 is utilized as the dialogue history indicative of the change of the order table in the course of the order taking operation (Takebayashi Col. 11 lines 33-51 & Fig. 7-8).

Further, Takebayashi teaches the confirmation for the partial change of the order such as addition, replacement, deletion is carried out by using only the speech response and the text data of the speech response. However, the visual information may also be used for the confirmation of the partial change of the order. In such a case, the display of the content visualizing image indicating the entire order may be interrupted temporarily, if desired. (Takebayashi Col. 27 lines 8-16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Alpdemir in view of Albayrak to incorporate a stack that is of selected length such that the oldest information related to the oldest received response is removed when information is received related to the latest response from the user as taught by Takebayashi to allow for the logging of data history, wherein the order and previous responses are stored for the dialog manager and older data is removed as the most recent response is received, wherein changes in user responses can be monitored for an improved recognition scheme (Takebayashi

Col. 11 lines 33-51 & Fig. 7-8, wherein ordered data in memory is construed to be functionally equivalent to a stack).

Re claim 15, Alpdemir teaches the computer implemented method of claim 14 wherein the set of controls includes an attribute to indicate whether a response to a prompt will be maintained in the information related to the order of responses received from the user ([0337-0339]), and wherein creating the dialog includes maintaining information related to an order of responses received from the user as a function of the corresponding attribute for a prompt ([0226]).

Re claim 18, computer implemented method of claim 14, wherein defining a dialog includes logic for modifying the maintained information related to an order of responses received from the user([0337-0339]), and wherein creating the dialog includes modifying the maintained information pursuant to the logic ([0213).

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6564207 B1, US 6690772 B1, US 6728679 B1, US 6097305 A, US 20040192273 A1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Colucci whose telephone number is (571)-

270-1847. The examiner can normally be reached on 9:30 am - 6:00 pm, Monday-

Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Richemond Dorvil can be reached on (571)-272-7602. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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